



# News Release

**IDAHO DEPARTMENT OF WATER RESOURCES**  
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Release 2004-23

**NOTICE OF VIOLATION, CIVIL PENALTY ACTION**  
**TAKEN BY IDWR AGAINST BURLEY MAN FOR ILLEGAL WATER USE**

For Immediate Release  
Boise, Idaho - Mar. 30, 2004

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State water managers have issued a cease and desist order and notice of violation to and are seeking \$78,300 in civil penalties and replacement water from a Burley man for illegally using ground water to irrigate almost half a square mile of land without a valid water right, the Idaho Department of Water Resources announced today.

Richard L. Kechter of Burley was determined in October 2003 to have been irrigating approximately 261 acres of land northwest of Paul without a valid water right to do so.

He has been ordered to stop any further diversion of ground water to irrigate the 261 acres until he has specifically been authorized to do so by IDWR.

In addition to the \$300 per acre illegally irrigated civil penalty, Kechter has been ordered to make restitution by acquiring mitigation water or otherwise to replace the amount of water illegally diverted from the Eastern Snake Plain Aquifer in 2003.

Kechter is required to determine how much water he illegally diverted in 2003, which, after IDWR approval, will be the amount of water that he must replace this year. He is required to submit a mitigation plant to IDWR by April 1.

Kechter has requested a meeting with the Department to determine how to resolve the violation.

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